

- (B) in a county adjacent to a county with a population greater than 3.3 million;
- (7) a municipality that is located:
 - (A) within 25 miles of an international port; and
 - (B) in a county that does not contain a highway that is part of the national system of interstate and defense highways and is adjacent to a county with a population greater than 3.3 million; ~~or~~
- (8) a municipality with a population of less than 8,500 that:
 - (A) is the county seat; and
 - (B) contains a highway that is part of the national system of interstate and defense highways; *or*
- (9) *a municipality with a population of more than 40,000 and less than 50,000 that is located in a county with a population of more than 285,000 and less than 300,000 that borders the Gulf of Mexico.*
- (c) A sheriff or a deputy sheriff of a county bordering the United Mexican States or of a county with a population of 700,000 ~~[one million]~~ or more is eligible to apply for certification under this section.

SECTION 2. This Act takes effect September 1, 2015.

Passed the Senate on May 6, 2015: Yeas 28, Nays 3; passed the House on May 27, 2015: Yeas 144, Nays 0, two present not voting.

Approved June 19, 2015.

Effective September 1, 2015.

**EXEMPTION FROM COMPETITIVE BIDDING
REQUIREMENTS FOR THE PROCUREMENT OF SERVICES
FOR VICTIMS OF FAMILY VIOLENCE**

CHAPTER 1131

S.B. No. 59

AN ACT

relating to an exemption from competitive bidding requirements for the procurement of services for victims of family violence.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The heading to Section 51.004, Human Resources Code, is amended to read as follows:

Sec. 51.004. **CONTRACT ELIGIBILITY; PROCUREMENT; APPLICATION PROCESS** ~~[BIDS]~~.

SECTION 2. Section 51.004, Human Resources Code, is amended by amending Subsection (e), as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, and by adding Subsections (f) and (g) to read as follows:

(e) The commission shall use a noncompetitive procurement procedure *to award a contract under Section 51.003(a) or (b)* if the commission determines that there is no competition between eligible family violence centers for *services or a service area*. If the commission determines that there is competition between eligible family violence centers for *services or a service area*, the commission shall award a contract *under Section 51.003(a) or (b) through an application process that considers the eligibility requirements and other factors provided in this section and allocates the money in accordance with this chapter and with consideration of the family violence services plan under Section 51.0021* ~~[a competitive procurement procedure]~~.

(f) *The commission shall consult with a statewide family violence organization to develop the application process described in Subsection (e) but may not involve the organization in the contract selection or award process.*

(g) *To the extent of any conflict between this section and any other law, including Chapter 2155, Government Code, this section controls.*

SECTION 3. Section 51.003(d), Human Resources Code, as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, is repealed.

SECTION 4. The changes in law made by this Act apply only to a contract awarded on or after the effective date of this Act.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed the Senate on April 9, 2015: Yeas 31, Nays 0; the Senate concurred in House amendment on May 28, 2015: Yeas 31, Nays 0; passed the House, with amendment, on May 22, 2015: Yeas 139, Nays 1, two present not voting.

Approved June 19, 2015.

Effective June 19, 2015.

CERTAIN CRIMINAL PROCEDURES FOR MISDEMEANOR OFFENSES COMMITTED BY CHILDREN

CHAPTER 1132

S.B. No. 108

AN ACT

relating to certain criminal procedures for misdemeanor offenses committed by children.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 45.0216(h), Code of Criminal Procedure, is amended to read as follows:

(h) Records of a person under 17 years of age relating to a complaint [~~dismissed as provided by Article 45.051 or 45.052~~] may be expunged under this article if:

- (1) *the complaint was dismissed under Article 45.051 or 45.052 or other law; or*
- (2) *the person was acquitted of the offense.*

SECTION 2. Section 45.052(a), Code of Criminal Procedure, is amended to read as follows:

(a) A justice or municipal court may defer proceedings against a defendant who is under the age of 18 or enrolled full time in an accredited secondary school in a program leading toward a high school diploma for not more than 180 days if the defendant:

- (1) is charged with an offense that the court has jurisdiction of under Article 4.11 or 4.14[~~, Code of Criminal Procedure~~];
- (2) pleads nolo contendere or guilty to the offense in open court with the defendant's parent, guardian, or managing conservator present;
- (3) presents to the court an oral or written request to attend a teen court program *or is recommended to attend the program by a school employee under Section 37.146, Education Code*; and
- (4) has not successfully completed a teen court program in the year [~~two years~~] preceding the date that the alleged offense occurred.